

REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on May 18, 2007. In the action the Examiner has rejected all of the standing claims 50-68 under 35 U.S.C. 102(b) as being anticipated by reference Cleslik, EP 0 453 777 A2, hereinafter Cleslik, without stating any particular portions of the reference which the examiner believes reads on specific limitations of the applicant's claims.

In the absence of specificity by the examiner the applicant has considered the entire body of Cleslik against each limitation of applicant's independent claims, and finds that many of the limitations of these claims are simply not taught in any way in Cleslik. The applicant therefore respectfully traverses the general rejection, and provides an analysis below of each of applicant's independent claims with specific comments regarding Cleslik inserted adjacent individual limitations in applicant's claims, showing that Cleslik fails as an anticipatory reference against the independent claims.

Independent claim 50:

50. A method for providing corrosion protection **in an assembly of two or more metal parts** (*Cleslik teaches a hollow pillar, and placing an expandable sealant plug in the cavity of the hollow pillar; he does not teach protecting a juncture of two or more metal parts. It may be true that the pillar of Cleslik, as seen in cross-section, is itself formed of separate metal parts to make the hollow pillar, but it is most definitely not the juncture of these parts forming the pillar that Cleslik acts to protect; it is rather the cavity of the pillar he seeks to fill. If Cleslik were following the teaching of the present List invention, he would have placed expandable material where the separate metal parts that form the pillar actually are joined; and he does not*) comprising the steps of:

(a) at a point in an assembly process for the assembly, placing at a juncture of any two of the two or more metal parts of the assembly, a corrosion-protection element

comprising heat-expandable material, **the corrosion-protection element shaped to conform to the juncture** (*Cleslik does not teach, anywhere in his specification or drawings, an element of heat-expandable material shaped to conform to the juncture between two metal parts*); and

(b) expanding the corrosion-protection element at another point in the assembly process by application of heat.

So the applicant urges that there are at least two important limitations in claim 50 that Cleslik does not teach, and claim 50 is therefore clearly patentable over the teaching of Cleslik. If the examiner disagrees, the applicant respectfully requests that the examiner provide guidance to the specific disclosure of Cleslik that reads upon the specific limitations of claim 50.

As claim 50 is patentable, claims 51 through 58 are patentable at least as depended from a patentable claim.

Independent claim 59:

59. A corrosion-protection element comprising a portion of heat-expandable material shaped to conform, prior to expansion, to a general shape of **a juncture between two or more metal parts of an assembly**, to fill the juncture when later expanded by heat.

Again, as above for claim 50, Cleslik teaches a hollow cavity of a pillar, not a juncture between two or more metal parts of an assembly, and it is the cavity of the pillar he seeks to close, to prevent water, for example, from entering the pillar where it might contribute to corrosion at the juncture of metal parts. This is a noble purpose, and somewhat similar to the present invention, but is a different invention, and does not read on the List invention as claimed. If Cleslik were the same invention, he would not be filling the cavity, but would be placing shaped elements at the junctures of the metal parts that form the cavity. The pillar cavity would remain open and hollow)

As claim 59 is patentable over Cleslik, claims 60-67 are patentable at least as depended from a patentable claim.

Independent claim 68:

68. A method for providing corrosion protection in an assembly of **two or more metal parts** (*Cleslik does not seek to protect the juncture of two or more metal parts, but to prevent entry of air, water, or other material into a hollow strut, comprising the steps of:*

(a) **at a point in an assembly process** for the assembly, placing **at a juncture of any two of the two or more metal parts** of the assembly (*Cleslik does not follow such a process at all. In the List invention as claimed here, an expandable element is placed between parts before the parts are assembled. If the examiner wants to rely on the separate metal parts of the Cleslik strut, he will have to admit that the parts in Cleslik are already assembled before any expandable element is added*), a corrosion-protection element comprising heat-expandable material, the corrosion-protection element shaped to conform to the juncture (*again, it must be emphasized that Cleslik's element is not shaped to conform to a juncture of metal parts, but to a cavity of a pillar*); and

(b) expanding the corrosion-protection element at another point in the assembly process by application of heat.

So independent claim 68 is also patentable over Cleslik.

As all of the claims standing for examination have been shown clearly to be patentable over the art cited and applied, taken either singly or in combination, the applicant respectfully requests reconsideration, and that the case be passed quickly to issue.

If there are any time extensions due beyond any extension requested and paid with this amendment, such extensions are hereby requested. If there are any fees due beyond any fees paid with the present amendment, such fees are authorized to be deducted from deposit account 50-0534.

Respectfully Submitted,
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